

Message Text

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ORIGIN SS-25

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FM SECSTATE WASHDC

TO AMEMBASSY SAN JOSE IMMEDIATE

C O N F I D E N T I A L STATE 180661

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EXDIS

E.O. 11652: GDS-3

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO CASE: EXTRADITION LAW

REF: SAN JOSE 3140

1. DEPARTMENT REGRETS DELAY IN FURNISHING SPANISH TEXT.
TEXT REPRESENTS LATEST VERSION LANGUAGE SERVICES HAS SUP-
PLIED, BUT EMBASSY MIGHT WISH TO HAVE TRANSLATIONS REVIEWED
BY A COSTA RICAN ATTORNEY BEFORE PASSING THEM TO UMANA.

2. ENGLISH AND SPANISH VERSIONS ARE AS FOLLOWS:

A) IN THE ABSENCE OF TREATIES, THE CONDITIONS, AS WELL AS
THE PROCEDURE AND EFFECTS OF THE EXTRADITION, SHALL BE
GOVERNED BY THIS LAW, WHICH SHALL APPLY ALSO TO THOSE
ASPECTS NOT PROVIDED FOR BY TREATIES. NO PROVISION OF THIS
LAW SHALL BE APPLIED SO AS TO DENY THE EXTRADITION OF A
FUGITIVE REQUIRED UNDER THE TERMS OF ANY TREATY.

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A FALTA DE TRATADOS, TANTO LAS CONDICIONES COMO EL
PROCEDIMIENTO Y LOS EFECTOS DE LA EXTRADICION, ESTARAN
DETERMINADOS POR LA PRESENTE LEY, QUE SE APLICARA TAMBIEN
A LOS ASPECTOS QUE NO HAYAN SIDO PREVISTOS POR LOS TRATADOS

NINGUNA DISPOSICION DE LA PRESENTE LEY SE APLICARA DE FORMA QUE NIEGUE LA EXTRADICION DE UN FUGITIVO REQUERIDO CONFORME A LOS TERMINOS DE CUALQUIER TRATADO.

B) EXTRADITION SHALL BE GRANTED IF THE OFFENSE IS PUNISHABLE BY BOTH COUNTRIES BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR.

SE CONCEDERA LA EXTRADICION SI EL DELITO ES PUNIBLE POR AMBOS PAISES CON UNA PENA PRIVATIVA DE LIBERTAD DE MAS DE UN AÑO.

C) WHEN THE OFFENSE FOR WHICH EXTRADITION HAS BEEN REQUESTED HAS BEEN COMMITTED OUTSIDE THE TERRITORY OF THE REQUESTING PARTY, THE JUDICIAL AUTHORITY OF COSTA RICA SHALL HAVE THE POWER TO GRANT EXTRADITION IF THE LAWS OF COSTA RICA PROVIDE FOR THE JURISDICTION OVER SUCH AN OFFENSE COMMITTED IN SIMILAR CIRCUMSTANCES.

CUANDO EL DELITO QUE MOTIVA LA EXTRADICION HAYA SIDO COMETIDO FUERA DEL TERRITORIO DE LA PARTE REQUIRENTE, LA AUTORIDAD JUDICIAL DE COSTA RICA PODRA CONCEDER LA EXTRADICION EN LOS CASOS EN QUE COSTA RICA EJERCIESE JURISDICCION, SEGUN LA PROPIA LEGISLACION, PARA JUZGAR UN DELITO IDENTICO COMETIDO EN LAS MISMAS CIRCUMSTANCIAS.

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